

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

MICHAEL FELLOWS and JONATHAN
HADDEN, on behalf of themselves and others
similarly situated,

Plaintiffs,

v.

MADONNA LOUISE CICCONE; LIVE NATION
WORLDWIDE, INC.; LIVE NATION MTOURS
(USA), INC.; and BROOKLYN EVENTS CENTER,
LLC, D/B/A BARCLAYS CENTER,

Defendants.

Case No. 1:24-cv-00357-HG

NOTICE OF MOTION

**ORAL ARGUMENT
REQUESTED**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Declaration of Jeffrey H. Warshafsky, accompanying exhibits, and all the pleadings and proceedings had herein, Defendants Madonna Louise Ciccone, Live Nation Worldwide, Inc., Live Nation MTours (USA), Inc., and Brooklyn Events Center, LLC, d/b/a Barclays Center, will move this Court before the Honorable Hector Gonzalez, at the courthouse for the Eastern District of New York, located at 225 Cadman Plaza E, Brooklyn, New York 11201, at a date and time to be set by the Court, for an Order pursuant to Fed. R. Civ. P. 12(b)(6) and Fed. R. Civ. P. 12(b)(1) dismissing the Complaint in its entirety, or in the alternative, for an Order pursuant to Fed. R. Civ. P. 12(f) and Fed. R. Civ. P. 23(d) striking the class allegations, and awarding such other and further relief as the Court may deem just and proper, including but not limited to jurisdictional discovery should the Court not dismiss the Complaint with prejudice.

Dated: April 3, 2024
New York, New York

Respectfully submitted,

PROSKAUER ROSE LLP

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